

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

MITCHELL HAYWARD BAILEY

Plaintiff

VS.

UNITED STATES OF AMERICA

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CIVIL ACTION NO. C-06-168

**ORDER GRANTING LEAVE TO AMEND COMPLAINT**

In accordance with the Fifth Circuit's opinion in this case (D.E. 37), plaintiff is granted leave to amend his complaint within thirty days of the date of this order. Plaintiff shall clearly set forth each of his causes of action in a separate paragraph, detailing the facts in support of each cause of action and citing his statutory or case authority for each cause of action. Plaintiff is not permitted to plead any causes of action already decided by the Fifth Circuit.

The United States shall file its answer within thirty days of receipt of a copy of plaintiff's amended complaint. Failure to timely comply by plaintiff is cause for dismissal for want of prosecution, and failure to timely comply by defendant is cause for entry of default.

ORDERED this 23rd day of January, 2008.

  
B. JANICE ELLINGTON  
UNITED STATES MAGISTRATE JUDGE